IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24920 of 1998

DATED: 19.9.2007

Between:

J V Rama Rao petitioner

And

The Divisional Manager,
APSRTC, RTC X roads,
Visakapatnam & another
Respondents

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24920 of 1998

ORAL ORDER:

This writ petition is filed questioning the proceedings dated 6.1.1997 rejecting the claim of the petitioner for absorption in the respondent corporation as conductor.

The petitioner claims that during the year 1987 the route from Narsipatnam to Visakapatnam was nationalized and in terms of the notification issued by the first respondent, he has applied for the post of conductor and attended the interview before the selection committee and submitted his original certificates. Since no further action was taken, after making several representations, petitioner issued a legal notice dated 15.2.1991 and in turn the first respondent vide orders dated 28.2.1991 returned the original certificates submitted by him. Questioning the action of the respondents in not selecting the petitioner, he filed W.P No. 3883 of 1991 and the same was disposed of by order dated 15.10.1997 directing respondents to consider the fresh representation to be filed by the petitioner. In terms of the said orders, the petitioner submitted a representation dated 1.11.1997 and the same was rejected by orders dated 6.12.1997 on the ground that the petitioner is over-aged by four years 18 days. Hence, the present writ petition.

A counter affidavit is filed stating that on earlier occasion the petitioner was interviewed by the selection committee on 19.2.1987

and could not be selected inasmuch as he does not have the work experience as conductor for five years with any private operator and his licence is not in force between 17.3.84 to 22.12.1986. The case of the petitioner was reconsidered in terms of the orders of this Court in W.P No.3883 of 1991 and his claim for appointment as conductor was rejected vide proceedings dated 6.12.1997 on the ground that he is not within the age limit, he is not a genuine displaced worker and has not submitted the authenticated record of actual registration number of the bus on which he worked certified by the concerned Labour Officer. It is also stated that the petitioner do not have the basic eligibility and the certificate produced by him is not genuine one.

Heard the learned counsel for petitioner, learned Standing Counsel for respondent corporation and perused the record produced by the learned standing counsel.

On perusal of the record produced by the learned standing counsel, it is noticed that the petitioner has not produced the certificate from the owner of the private bus, on which he claims to have worked, and a certification from the concerned Labour Officer, which is basic eligibility criteria. Since the petitioner has not produced the relevant certificates and the certificates produced by him were found to be not genuine, his claim was rejected by proceedings 6.12.1997, which cannot be said to be an illegal order, warranting interference of this Court.

For the foregoing reasons, the writ petition fails and the same is hereby dismissed. No costs.

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N.V.RAMANA,J

DATE: 19.9.2007
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